

Remarks

Reconsideration of the present application, as amended, is respectfully requested.

Of previously pending claims 1, 4-11, 14-19, and 21, all were rejected. Claims 1, 4-11, 14-19, and 21 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,631,144, which issued October 7, 2003 to H.I. Johansen, in view of U.S. Patent No. 6,188,692, which issued February 13, 2001 to C.K. Huscroft *et al.*

The applicants respectfully differ with the rejections of the pending claims and address the rejections through independent claims 1 and 11. For ease of argument, independent claim 11 is considered first. Independent claim 11 recites:

11. Apparatus for operating a transceiver for an asynchronous data transmission standard to relay data in accordance with a synchronous data transmission standard, said apparatus comprising:

a transponder that receives a remotely transmitted signal formatted in accordance with said synchronous data transmission standard and recovers a clock signal from said remotely transmitted signal;

a local clock source; and

a multiplexer that, in a first mode, directs said recovered clock signal to a clock input of said transceiver and, in a second mode, directs output of said local clock source to said clock input, said multiplexer switching from said first mode to said second mode upon loss of said remotely transmitted signal and switching from said first mode to said second mode upon loss of recovered framing in said remotely transmitted signal.

In rejecting this claim, the Examiner stated:

For claim 11, Johansen teaches a transponder that receives a remotely transmitted signal formatted in accordance with said synchronous data transmission standard and recovers a clock signal from said remotely transmitted signal (see column 2 lines 20 -25; the multi-rate transponder receives an incoming data stream); a local clock source (see column 2 line 39-42; reference clock); and a multiplexer that, in a first mode, directs said recovered clock signal to a clock input of said transceiver (see column 2 lines 39 -42; a clock signal is generated based on the received incoming data stream and will switch between the different data rates modes of the incoming data stream). Johansen fails to teach in a second mode, directs output of said local clock source to said clock input, said multiplexer switching from said first mode to said second mode upon loss of said remotely transmitted signal and switching from said first mode to said second mode upon loss of recovered framing in said remotely transmitted signal but does teach that the transponder can support several communication protocols like SDH and Gigabit Ethernet (see column 1

lines 6 -20). Huscroft from the same field of endeavor teaches a device for interfacing between a SONET and ATM network where the integral clock recovery circuit lock on to and recover the clock form the incoming continuous stream (see column 2 lines 15 -41). Therefore, it would have been obvious to one 'of ordinary skill in the art at the time of the invention was made to the second mode as taught by Huscroft into the multi-rate transponder of Johansen. The motivation for doing this is improve the versatility of the device by integrating the two modes into a signal device.

The combination of the Johansen and Huscroft patents do not render the applicants' claim obvious. The rejection of claim 11 should not stand for at least two reasons. In the first place, the reference clock of the Johansen patent is not the applicants' "local clock source." In the portion quoted by Examiner, the reference clock of the Clock and Data Recovery (CDR) circuit is described as "adapted to generate a reference clock signal for the transmitting part based on a clock signal associated with the incoming serial data stream (applicants' underlining)." Col. 2, lines 39-42. Hence the reference clock is a derivative of the data stream clock and is not a local clock source, as called for in applicants' claim.

Secondly, the integral clock recovery circuit of the user network interface of the Huscroft patent is not "a local clock source." Rather, the integral clock recovery circuit operates to "sample and recover clock from the incoming continuous stream of data." Col. 2 lines 33-34. That is, the Huscroft clock signals are associated with the incoming data stream, as in the case of the Johansen patent. Thus even if the Johansen multi-rate transponder system and the Huscroft user network interface were combined as suggested by the Examiner, the combination would not teach the applicants' claimed invention. There is no second mode in which there is directed the "output of said local clock source to said clock input, said multiplexer switching from said first mode to said second mode upon loss of said remotely transmitted signal and switching from said first mode to said second mode upon loss of recovered framing in said remotely transmitted signal," as called for in applicants' claim.

Claim 11 is not obvious over the cited Johansen and Huscroft patent references and should be allowed.

Independent claim 1 recites:

A method for operating a line-card having a transponder and a transceiver for an asynchronous data transmission standard to relay data in accordance with a synchronous data transmission standard, said method comprising:

receiving a remotely transmitted signal formatted in accordance with said synchronous data transmission standard by said transponder;

recovering a clock signal from said remotely transmitted signal by said transponder;

in a first mode, directing said recovered clock signal to a clock input of said transceiver; **and**

in a second mode, directing a locally generated clock to said clock input; and

switching from said first mode to said second mode upon loss of said remotely transmitted signal or upon loss of recovered framing in said remotely transmitted signal.

In rejecting claim 1, the Examiner essentially repeated his rejection of claim 11 and the same arguments which the applicants made with respect to claim 11 apply to claim 1. That is, there is no “locally generated clock,” as claimed by the applicants, in the Johansen patent. Secondly, there is no “locally generated clock,” in the Huscroft patent. So that even if the two references were combined as suggested by the Examiner, there would be no “in a second mode, directing a locally generated clock to said clock input;” and “switching from said first mode to said second mode upon loss of said remotely transmitted signal or upon loss of recovered framing in said remotely transmitted signal,” as called for in claim 1. Claim 1 is not obvious over the cited patents and should be allowed.

Furthermore, claims 4-10, 14-19 and 21 should be allowed for at least being dependent upon allowable base claims.

Therefore, in view of amendments above and the remarks directed thereto, the applicants request that all rejections be removed, that claims 1, 4-11, 14-19 and 21 be allowed and the case be passed to issue. If a telephone conference would in any way expedite the prosecution of the application, the Examiner is asked to call the undersigned at (408) 868-4088.

Respectfully submitted,

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